

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

JACQUELINE BEEBE, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

V&J NATIONAL ENTERPRISES, LLC, et al.,

Defendants.

ORDER

17-CV-6075W

Plaintiff, Jacqueline Beebe (“Beebe”), individually and on behalf of all others similarly-situated, having filed a motion seeking conditional class certification under the Fair Labor Standards Act (“FLSA”), 29 U.S.C. § 216(b) (Docket # 8), defendants having opposed the motion (Docket # 20), this Court having reviewed the parties’ submissions, and oral argument having been conducted on June 14, 2017, it is hereby

ORDERED, for the reasons stated more fully on the record on June 14, 2017, that Beebe’s motion for conditional class certification (**Docket # 20**) is **GRANTED in part and RESERVED in part**. Specifically, the Court grants Beebe’s motion for conditional certification as an FLSA collective action and directs the defendants to promptly identify all delivery drivers they have employed at any time during the class period. The Court reserves on issues related to the form and content of the class notice and consent form. Based upon the parties’ representations that they have fully conferred in good faith on the content and form of the proposed class notice, but have been unable to resolve their outstanding disputes, defendants are directed to submit to the Court on or before **June 21, 2017**, a redlined document containing their

suggested edits to the proposed notice previously submitted by Beebe. Additionally, any reminder postcard sent to the class is subject to prior review and approval by opposing counsel and the Court.

IT IS SO ORDERED.



MARIAN W. PAYSON
United States Magistrate Judge

Dated: Rochester, New York
June 15, 2017